

INCIDENT REPORT	INCIDENT NUMBER	REPORT NUMBER	REPORT TYPE
	124760900171	124760900171 REVISION 1	INITIAL

PRIVACY ACT STATEMENT

AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 5031; 44 U.S.C. 3103 and EO 9397
PRINCIPAL PURPOSE: Used to record information and details of criminal activity which may require investigative action by commanding officers, supervisors, security police, NCIS special agents, etc. Used to provide information to the appropriate individuals within DoD organizations who ensure that proper legal and administrative action is taken.
ROUTINE USES: Information may be disclosed to local, county, state and federal law enforcement or investigatory authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.
DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement and as a conduit to check past criminal activity records.

SECTION I. ADMINISTRATIVE

Incident Subject : DRIVING UNDER THE INFLUENCE

Date Received 08-OCT-2012	Time Received 0322	Incident Received In Person	Start Date / Time of Incident 08-OCT-2012 0322	End Date / Time of Incident 08-OCT-2012 0322
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Weather : **Lighting :**

SECTION II. COMPLAINANT(S)

SECTION III. OFFENSE(S)

OFFENSE

Offense : Traffic Offenses - Driving Under Influence Liquor	Statutory Basis : State	On Base : YES	Offense Status : COMPLETED
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Location : E/B INYOKERN RD. AT LAURITSEN RD. CHINA LAKE, California	Location Type : Highway/Road/Alley (includes street)
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Bias Motivation : No Bias

Offender Used : Alcohol	Type Weapon / Force Used :
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Type of Criminal Activity :

SECTION IV. PROPERTY

SECTION IV. PROPERTY - NARCOTIC(S)

SECTION IV. PROPERTY - VEHICLE(S)

Vehicle	Year 2007	Make DODGE	Model CHARGER	Body Style Sedan (2DR/4DR)	Color Gray
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License Plate Washington / 126YFR	Vehicle Identification Number (VIN) 2B3KA43G67H631803	Owner Name NICHOLAS ALEXANDER SERNA
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Other Identifying Marks

SECTION V. VICTIMS(S)

VICTIM	Victim Type Society/Public	DD2701 Issued
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Name SOCIETY,	ID Num / UNKNOWN	Rank
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Branch of Service	Personnel Type UNKNOWN	Status CIVILIAN	Date of Birth	Place of Birth
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Sex :	Race :	Ethnicity :	Resident of Jurisdiction :
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Address

Organization **UIC / RUC** **Work Telephone**

ADDITIONAL VICTIM INFORMATION

Offense(s) Committed Against This Victim : 1 - Traffic Offenses - Driving Under Influence Liquor

Relationship of Victim to Suspect(s) :
SERNA, NICHOLAS - Otherwise Known

Aggravated Assault Circumstances :

Injury Type(s) :

Enclosure (4)

SECTION VI. WITNESS/SPONSOR - WITNESS(S)

WITNESS				DD2701 Issued :	
Name <u>Cble</u>		ID Num SSN <u>Cble</u>		Rank	
Branch of Service	Personnel Type UNKNOWN	Status CIVILIAN	Date of Birth <u>Cble</u>	Place of Birth <u>Cble</u>	
Address BOGUE CIRCLE CHINA LAKE, CA, United States 93555					
Organization		UIC / RUC		Work Telephone	

SECTION VI. WITNESS/SPONSOR - SPONSOR(S)

SECTION VII. SUSPECT(S) / ARRESTEE(S)

ARRESTEE					
Name SERNA, NICHOLAS ALEXANDER		ID Num SSN <u>Cble</u> 4303		Rank Petty Officer Second Class	
Branch of Service Navy	Personnel Type MILITARY	Status Regular (Active)	Date of Birth 19-MAY-1983	Place of Birth TORRANCE CA, United States	
Address 1309 SIMS STREET RIDGECREST, CA, United States 93555					
Organization U.S. NAVY		UIC / RUC 47609		Work Telephone (760) 939-5274	
Known Alias :					

ADDITIONAL SUSPECT / ARRESTEE INFORMATION

Offense(s) Committed by This Suspect/Arrestee:

Traffic Offenses - Driving Under Influence Liquor - Principal

SUSPECT / ARRESTEE DESCRIPTION

Sex Male	Race White	Ethnicity Hispanic	Resident of Jurisdiction Resident		
Hair Color Black	Eye Color Brown	Height (Inches) 59	Weight (lbs.) 149	Body Build Medium	Dexterity Right-Handed
Hair Type(s): Short		Hair Style(s):		Facial Hair :	
Complexion :				Appearance :	
Attire :		Speech :		Demeanor :	

IDENTIFYING MARKS

Type	Location	Description
ARRESTEE INFO		
Date Arrested :	08-OCT-2012	Type of Arrest :
Multiple Clearance :	Not Applicable	Disposition of Juvenile :
Summons/Cited		
Suspect Was Armed With : Unarmed		

SECTION VIII. ADDITIONAL POLICE OFFICERS

SECTION IX. NARRATIVE

On 8 October 2012, at about 0310 hours, while on patrol in a marked China Lake Police unit, I (Ofc Cble) observed a gray sedan traveling eastbound on E. Inyokern Rd. at Lauritsen Rd stop at the intersection in violation of CVC 27007 - Outside speakers over 50 feet. At 0310 hours I conducted an enforcement stop on Lauritsen Rd at King St. All violations and locations are situated in the County of Kern.

I contacted the driver of the vehicle, Nicholas Serna (suspect) and the passenger Cble (witness). Serna was identified by his Washington Driver's License. Cble was identified by Cble Military Dependant Identification Card. I asked Serna for his driver's license, registration and proof of insurance. As he provided the information I could smell the odor of an alcoholic beverage emitting from within the vehicle. I asked Serna if he had any alcoholic beverages this evening to which he replied "No."

I asked Serna to step out and move to the rear of the vehicle at which time he complied. While speaking with Serna, I could smell the odor of an alcoholic beverage emitting from his breath. I asked if he was sick, sleepy, tired, under a doctor's care, or taking any medication. He replied "No." I asked him if he was having any problems with his vehicle and he said, "No." I asked if he had anything wrong with his feet, ankles, knees, hips, back or neck. He replied "No." I asked if he had any problems that would prevent him from taking a series of balance tests and he said "No." I asked Serna if he would consent to Field Sobriety Test's and he said, "Yes." I explained and demonstrated each test and told Serna not to begin a test until I instructed him to do so. I asked him if he understood he said "Yes." He attempted the tests and failed (see enclosure 1). I read Serna the Preliminary Alcohol Screening Test Admonition and he agreed to take the test. I conducted a PAS. test, utilizing an AlcoSensor Mk IV with a temperature of 21 degrees Celsius. The result of the test was a .156% B.A.C. At 0322 hours,

I arrested Serna for driving under the influence of alcohol and transported him to the China Lake Police Department for further processing.

Upon arrival, Serna was read the Implied Consent Law and agreed to take a breath test. At 0346 hours I administered the test, utilizing a Drager Alcotest 7110. The results of the test were .14% and .14% BAC.

Serna was issued a notice to appear citation (33185) for violation of CVC 23152(a)(b) - DUI over .08%. He is to appear in East Kern Superior Court on 12 November 2012, at 0815 hours. The vehicle was legally parked and secured at the scene per his request.

At 0442 hours Serna was released to a responsible party *Cb6* USN VX-9 SDO. *Cb6* was provided a courtesy transport to *Cb6* residence at *Cb6* Bogue Circle by *Cb6* *J*

This case is submitted in a closed status. This report is forwarded for action/disposition.///End of Report///

ENCLOSURES:

- 1) CLPD INTOX Report Pg 1
- 2) CLPD INTOX Report Pg 2
- 3) CVC 23614 Admonitions
- 4) Copy of DS 367M Pg 1
- 5) Copy of DS 367M Pg 2
- 6) Admin Per Se
- 7) Alcotest Checklist and Results
- 8) DUI Cite and Release Admonishment
- 9) Case Notification Sheet

ENCLOSURE(S)

ENCL #	DESCRIPTION
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SECTION X. REPORTING/APPROVING OFFICIALS

Reporting Official	Date	Approving Official <i>Cb6</i>	Date 10-AUG-2015 FINAL APPROVED ON 15-OCT-2012
		Operations Chief	

SECTION XI. ADMINISTRATIVE DISPOSITION

Victim/Witness Notification	Incident Status	Date Cleared
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0 Victims Notified	0 Witnesses Notified
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Referred To/Assumed By :

Distribution : Other : VX-9 Legal , LEGAL OFFICER